

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

_____	:	
GREGORY HINES,	:	Civil Action No. 10-4130 (DMC)
	:	
Petitioner,	:	
	:	
v.	:	
	:	<u>ORDER</u>
MICHELLE R. RICCI, et al.,	:	
	:	
Respondents.	:	
_____	:	

A petition for Writ of Habeas Corpus was filed in the above action, pursuant to 28 U.S.C. § 2254, and notice was given pursuant to Mason v. Meyers, 208 F.3d 414 (3d Cir. 2000), and Petitioner informed the Court that he wishes to withdraw his Ground Seven challenge.

IT IS on this 13 day of January, 2011,

ORDERED that the Clerk of the Court shall serve copies of the Petition upon Respondents and upon the Attorney General of the State of New Jersey, by certified mail, return receipt requested, with all costs of service advanced by the United States; and it is further

ORDERED that Respondents shall electronically file a full and complete answer to the Petition (except for the withdrawn Ground Seven) within 45 days of the entry of this Order, see Ukawabutu v. Morton, 997 F. Supp. 605 (D.N.J. 1998); and it is further

ORDERED that Respondents' answer shall address the allegations of the Petition by each paragraph and subparagraph, and shall adhere to the requirements of 28 U.S.C. § 2254 Rule 5; and it is further

ORDERED that the answer shall address the merits of each claim raised in the Petition, see 28 U.S.C. § 2254(b)(2), by discussing the facts of this matter and the relevant legal precedent; and it is further

ORDERED that the answer shall indicate what transcripts (of pretrial, trial, sentencing, or post-conviction proceedings) are available, when they can be furnished, and what proceedings have been recorded but not transcribed; and it is further

ORDERED that Respondents shall attach to the answer parts of the transcript that the Respondents consider relevant and, if a transcript cannot be obtained, Respondents may submit a narrative summary of the evidence, see 28 U.S.C. § 2254 Rule 5(c); and it is further

ORDERED that Respondents shall file with the answer a copy of: (1) any brief that Petitioner submitted in an appellate court contesting the conviction or sentence, or contesting an adverse judgment or order in a post-conviction proceeding; (2) any brief that the prosecution submitted in an appellate court relating to the conviction or sentence; and (3) the opinions and

dispositive orders relating to the conviction or the sentence, see 28 U.S.C. § 2254 Rule 5(d); and it is further

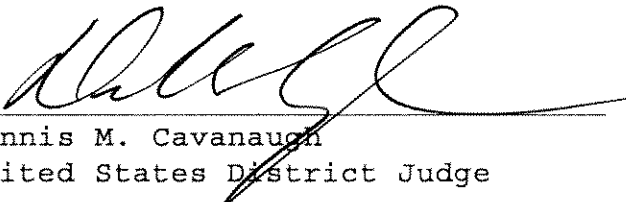
ORDERED that the answer shall contain an index of exhibits expressly correlating each exhibit to a particular docket entry or to particular pages of attachments, thus enabling swift location of each exhibit on the docket; and it is further

ORDERED that Respondents shall file the answer, the exhibits, and the index of exhibits electronically; and it is further

ORDERED that Petitioner shall file and serve a reply to the answer within 45 days of Petitioner's receipt of same, see 28 U.S.C. § 2254 Rule 5(e); and it is further

ORDERED that, within 7 days of Petitioner's release, be it on parole or otherwise, Respondents shall electronically file a written notice of the same with the Clerk; and it is finally

ORDERED that the Clerk shall serve this Order on Petitioner by regular U.S. mail.


Dennis M. Cavanaugh
United States District Judge